

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ISRAEL GUTIERREZ, #246141,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 2:09-CV-429-WHA
)	
TOMMY BUFORD, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

The Magistrate Judge entered a Recommendation (Doc. #36) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the court finds that the Recommendation should be adopted. Accordingly, it is

ORDERED that

1. The Recommendation (Doc. #36) of the Magistrate Judge is ADOPTED;
2. The petition for habeas corpus relief is DENIED; and
3. The petition is dismissed without prejudice to afford Petitioner an opportunity to exhaust all available state court remedies.

A separate judgment shall issue.

Done this 1st day of February, 2012.

/s/ W. Harold Albritton
UNITED STATES DISTRICT JUDGE